

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Lihua Arebalo
and
Manuel Arebalo,

Case No. 8-09-74046-reg

Chapter 13

Debtors.

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**ORDER AWARDING ATTORNEY’S FEES AND DIRECTING TURNOVER OF
EXCESSIVE FEES TO THE CHAPTER 13 TRUSTEE**

WHEREAS, Frank Xu, Esq., attorney for the Debtors (“Counsel”) having made an application to this Court dated January 15, 2010 under 11 U.S.C. §329 and §330 (the “Bankruptcy Code”) and Rules 2016 and 2017 of the Federal Rules of Bankruptcy Procedure (“Rules”) seeking entry of an order determining the reasonableness of the fees paid to Counsel(the “Motion”); and

WHEREAS, a hearing having been held on March 11, 2010; and

WHEREAS, Counsel having appeared in support of the Motion; and

WHEREAS, Counsel disclosed in the Motion and in oral argument that he received from the Debtors, for legal services rendered in this case, the sum of \$19,706.48, including compensation of \$19,296.55 and reimbursement of expenses in the amount of \$409.63; and

WHEREAS, Michael J. Macco, Esq., the chapter 13 trustee (the “Trustee”) having filed papers and appeared in opposition to the Motion; and

WHEREAS, the United States Trustee, by Alfred M. Dimino, Esq., Trial Attorney, having appeared on the Motion; and

WHEREAS, the Court having found that notice was sufficient and after hearing oral argument and after due deliberation and for good cause shown; it is hereby

ORDERED, that Counsel is awarded legal fees for services rendered in this case of \$4,000 and reimbursement of the filing fee of \$274 (the “Award”); and it is further

ORDERED, that within ten days of the date of this Order, Counsel is directed to disgorge, to the Trustee, \$15,432.48 which represents all fees and reimbursement of expenses received by Counsel for services rendered in this bankruptcy case in excess of the Award.

**Dated: Central Islip, New York
March 19, 2010**



A handwritten signature in black ink, appearing to read "Robert E. Grossman".

**Robert E. Grossman
United States Bankruptcy Judge**